

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

|                                   |   |  |
|-----------------------------------|---|--|
| <b>MARCIA MARENGO, ET AL.</b>     | § | <b>PLAINTIFFS</b>                        |
|                                   | § |  |
| <b>v.</b>                         | § | <b>Civil Action No. 1:11CV291HSO-JMR</b> |
|                                   | § |  |
| <b>CHRISTOPHER BREARD, ET AL.</b> | § | <b>DEFENDANTS</b>                        |

**FINAL JUDGMENT**

This matter having come on to be heard on Defendants' Motion to Dismiss filed August 11, 2011 [4-1]. The Court, after a review and consideration of Defendants' Motion, Plaintiffs' Response, the pleadings on file, and the relevant legal authorities, finds that in accord with its Order entered herewith,

**IT IS, ORDERED AND ADJUDGED** that Plaintiffs' Complaint is hereby dismissed without prejudice, pursuant to FED. R. CIV. P. 12(b)(1) and 12(h)(3).

**SO ORDERED AND ADJUDGED**, this the 7<sup>th</sup> day of September, 2011.

*s/ Halil Suleyman Ozerden*

HALIL SULEYMAN OZERDEN  
UNITED STATES DISTRICT JUDGE